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SENATE BILL 145 By
Cooper

HOUSE BILL 879
By Kisber

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 6
and Title 36, Chapter 5, relative to child support.

WHEREAS, the General Assembly finds and declares that it is the public policy of this state to assure frequent, continuing and meaningful contact with both parents except in cases where the court specifically finds that such contact is not in the best interest of the child; now therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-101, is amended by redesignating the current subdivision (a)(5) as item "(a)(5)(A)" and by adding the following new item:

(B) The court may, upon notice and hearing, suspend child support subject to the requirements of this subsection or order a modification in the amount of child support ordered, upon proof that the obligor has been, without good cause, continuously or repeatedly prevented from exercising visitation rights established by a court order. Any such order shall include a written finding specifying the justification for such modification,

as well as to the anticipated impact the modification will have upon the best interests of the child or children.

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 5, Part 22, is amended by adding the following as a new, appropriately designated section:

36-5-22__.

(a) Where a tribunal of this state may exercise its personal jurisdiction over a nonresident under §36-5-2201, and has continuing jurisdiction under §36-5-2205, such tribunal may, upon notice and hearing, suspend child support or order a modification in the amount of support ordered as provided in §36-5-101(a)(5)(B).

(b) A tribunal of this state may also serve as an initiating tribunal to request a tribunal of another state to suspend or modify a support order issued in that state, consistent with §36-5-101(a)(5)(B).

SECTION 3. This act shall take effect upon July 1, 2001, the public welfare requiring it.